

MINUTES
BOARD OF SUPERVISORS
COUNTY OF YORK

Adjourned Meeting
June 25, 2002

6:00 p.m.

Meeting Convened. An Adjourned Meeting of the York County Board of Supervisors was called to order at 6:02 p.m., Tuesday, June 25, 2002, in the East Room, York Hall, by Chairman Donald E. Wiggins.

Attendance. The following members of the Board of Supervisors were present: Sheila S. Noll, Donald E. Wiggins, James S. Burgett, and Thomas G. Shepperd.

Walter C. Zaremba was absent.

Also in attendance were James O. McReynolds, County Administrator; and James E. Barnett, County Attorney.

NEW BUSINESS

VDOT GRANT FUNDING FOR YORKTOWN REVITALIZATION (Not on Agenda)

Mr. McReynolds announced that there was an article in today's newspaper about grant funding from VDOT. He stated that \$640,000 of additional grant funding has been approved by VDOT for Yorktown Revitalization. He expressed his pleasure at the County's success, stating it was the largest single award given in the state this year.

FUNDING FOR ROUTE 17 IMPROVEMENTS (Not on Agenda)

Mr. J. Mark Carter, Planning and Zoning Manager, announced that the Commonwealth Transportation Board adopted its new Six-Year Plan last week, and the plan includes more money for Route 17 than was anticipated. The adopted plan shows the improvements on Route 17 extending from Wolftrap Road south to Route 134, and \$17 million is the budgeted amount. The plan shows construction in the 2004-2007 timeframe.

COMMERCIAL VEHICLE PARKING PROHIBITION (Not on Agenda)

Mr. McReynolds indicated that tonight was the deadline set for the advertisement of the next round of subdivisions to be included in an ordinance to restrict commercial vehicle parking in residential areas. He stated the areas that have requested to be included at this time are the subdivisions of Sommerville, Grafton Woods, and Kiln Creek.

Chairman Wiggins indicated he did not know of any other subdivisions, but asked about what the procedure would be in the future for adding others.

Mr. McReynolds stated it was his understanding that the consensus of the Board was to bring additions to the Board for consideration on a semi-annual basis. Staff is currently working on

June 25, 2002

criteria as to exactly how a subdivision would apply for inclusion. He stated when the suggested criteria were complete, they would be presented to the Board for approval.

FUTURE MEETING SCHEDULE (Not on Agenda)

Mr. McReynolds reminded the Board of the scheduled work session for August 13 to discuss possible amendments to the Board's Policies, Personnel Policies and Procedures, and the Purchasing Policy. He provided the Board members with a memorandum suggesting the Board schedule a work session for September 10 to discuss Park Facilities Planning Services, and he asked the Board members to come up with some possible dates to conduct a joint meeting with the County's legislators for a post-session debriefing as requested by Mr. Zaremba.

After a brief discussion, the Board agreed to convene in a work session at 5:30 on Tuesday, July 16, 2002, East Room, York Hall, for the purpose of discussing the two piers in Yorktown. Since Mr. Zaremba was absent, the Board agreed to wait on scheduling a meeting with the County's legislators until he had been contacted about possible dates.

PROPOSED AMENDMENTS TO THE COMPREHENSIVE PLAN AND ZONING ORDINANCE: HUB ZONE DESIGNATION

Mr. McReynolds indicated that Lackey has been designated as a HUBZone which could stimulate business development and employment. He noted that the current Limited Business zoning classification could limit the success of this designation and that a General Business classification might be appropriate and desirable. In order to do this, the Board would have to make certain amendments to its Comprehensive Plan and Zoning Ordinance. He stated Jim Noel, Director of Economic Development, would provide the Board with more information on the program. Staff plans to conduct a community meeting on July 9 at the Brown Park Community Center to inform the residents about the specifics of the proposal.

Mr. Noel explained the HUBZone program, stating it could provide commercial opportunities for the Lackey area, allowing businesses to qualify for government contracts. He indicated in order for these opportunities to be maximized, the Board should consider modifying its Comprehensive Plan and Zoning Ordinance; and staff was recommending the adoption of two resolutions to sponsor amendments to those documents.

A brief discussion took place.

Mr. Burgett moved the adoption of proposed Resolution R02-135 that reads:

A RESOLUTION TO SPONSOR AN APPLICATION TO AMEND THE
YORK COUNTY COMPREHENSIVE PLAN, CHARTING THE COURSE
TO 2015, TO CHANGE THE COMMERCIAL LAND USE DESIGNATION
ALONG ROUTE 238 IN LACKEY FROM NEIGHBORHOOD BUSINESS
TO GENERAL BUSINESS

WHEREAS, the York County Comprehensive Plan - Charting the Course to 2015 designates the Route 238 frontage in Lackey for Limited Business uses in the general area between Church Road and Dogwood Road; and

WHEREAS, the Plan describes the intent of the designation as providing opportunities for various neighborhood businesses and, under appropriate circumstances, community commercial uses such as a shopping center; and

WHEREAS, in accordance with this designation properties along the Route 238 frontage have been classified NB – Neighborhood Business; and

WHEREAS, it has come to the attention of the Board of Supervisors that the Lackey area has been designated as a HUBZone under federal Small Business Administration program guidelines; and

WHEREAS, the Board is concerned that the economic potential available to the Lackey community as a result of the HUBZone designation may not be able to be fully realized given the limited range of commercial opportunities allowed under the current Comprehensive Plan designation; and

WHEREAS, the Board wishes to explore the possibility of changing the Comprehensive Plan designation from Neighborhood Business to General Business and also the possible of expansion of the designation to encompass additional depth along the currently designated road frontage.

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 25th day of June, 2002, that it does hereby sponsor an application for amendment of the York County Comprehensive Plan – Charting the Course to 2015 to allow consideration of a change in the commercial designation along the Route 238 frontage in Lackey from Neighborhood Business to General Business, and also the possible expansion of that designation to a greater depth, thus encompassing areas currently designated for High Density Single Family Residential uses.

BE IT FURTHER RESOLVED that this application is hereby referred to the York County Planning Commission for review, public hearing and recommendation in accordance with the procedures for plan amendments set out in Section 15.2-2229 of the Code of Virginia.

On roll call the vote was:

Yea: (4) Noll, Burgett, Shepperd, Wiggins
Nay: (0)

Mr. Burgett then moved the adoption of proposed Resolution R02-136 that reads:

A RESOLUTION TO SPONSOR AN APPLICATION TO AMEND THE YORK COUNTY ZONING MAP TO RECLASSIFY CERTAIN PROPERTIES ALONG ROUTE 238 IN LACKEY FROM NB-NEIGHBORHOOD BUSINESS AND R-13 – SINGLE FAMILY RESIDENTIAL TO GB-GENERAL BUSINESS

WHEREAS, it has come to the attention of the Board of Supervisors that the Lackey area has been designated as a HUBZone under federal Small Business Administration program guidelines; and

WHEREAS, the Board is concerned that the economic potential available to the Lackey community as a result of the HUBZone designation may not be able to be fully realized given

the limited range of commercial opportunities allowed under the current Comprehensive Plan designation; and

WHEREAS, to allow consideration of this potential, the Board of Supervisors has sponsored an application to amend the York County Comprehensive Plan - Charting the Course to 2015 designations for the Route 238 frontage in Lackey to establish a General Business designation in the general area between Church Road and Dogwood Road; and

WHEREAS, concurrent with this Plan amendment application and in accordance with good zoning practice the Board wishes to sponsor an application to consider, subject to approval of appropriate Plan amendments, the reclassification of certain properties from NB-Neighborhood Business and R-13 – Single Family Residential to General Business.

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 25th day of June, 2002, that it does hereby sponsor an application to amend the York County Zoning Map to reclassify the following properties in Lackey in the manner noted:

? Reclassify all properties currently classified NB-Neighborhood Business to GB-General Business;

? Reclassify the following properties from R-13 to GB-General Business:

017-65
017-66
017-67
017-68
017-71A
017-8-1
017-8-2
017-8-3

BE IT FURTHER RESOLVED that this application is hereby referred to the York County Planning Commission for review, public hearing and recommendation in accordance with applicable procedures.

On roll call the vote was:

Yea: (4) Burgett, Shepperd, Noll, Wiggins
Nay: (0)

WORK SESSION

ZONING ORDINANCE REVIEW

Mr. McReynolds stated this work session was the beginning of discussions on amendments to the Zoning Ordinance. He noted the Board had been provided with a draft of some suggested changes, and the draft document would also be shared with other interested groups or individuals for comment.

Mr. Carter then reviewed the draft document provided to the Board providing a brief summary of the results of the questionnaire that was provided to the Board and Planning Commission in

an effort to identify preferences and positions concerning subjects previously covered in staff issue papers, and the following suggested amendments by staff:

Parking Requirements:

- ? Allow site and use specific analyses for loading space as well as parking space. Also allow some of required parking to be provided in an “overflow” lot constructed of “green” pavers.
- ? Require adequate business vehicle parking as a general rule rather than the current method of stipulating one space per business vehicle at the time of site plan review.
- ? Allow on a case-by-case basis the loading space demands for a use to be met by the otherwise required parking spaces.
- ? Allow the Zoning Administrator to make a case-by-case adjustment in the size of the required loading space(s) to recognize situations where the loading space demands of a use can be accommodated in a smaller space.
- ? Require additional landscaping when a development will include more than the minimum required number of parking spaces.
- ? Provide a direct linkage to the categories and use listing set out in the Table of Land Uses in the District Regulations.
- ? Eliminate the mandatory bicycle parking space standards.
- ? Change the parking ratio for retail uses and for office uses.
- ? Eliminate, to the extent possible, requirements that are based on a per-person or per-employee standard in favor of requirements that can be measured during site plan review, but still allow the opportunity to use a per-employee ratio in the case of low intensity industrial and warehouse uses.
- ? Consolidate all design standards into Section 24.1-607.
- ? Allow the overall length of the paved portion of a parking space to be further reduced by 1.5 feet to account for vehicle overhang.
- ? Incorporate the current site design “rule” which calls for providing a landscaped island to break rows of parking into bays of 15 spaces or to provide fewer, but larger, islands.
- ? Reduce the percentage of spaces in a lot that can be designated for compact cars.
- ? Include language to allow review of the location of storage and display using the area of “excess” parking to ensure that it does not create circulation or safety problems in the remainder of the lot.

Sign Requirements:

- ? Require that sign supports wider than 25 percent of the sign face, or that are part of the sign display, will be counted as part of the sign area.
- ? Add a maximum aggregate building sign area of 200 square feet.
- ? Convert to the landscape credits system and allow trees to be part of the landscaping plan.
- ? Clarify and simplify the chart of sign regulations and incorporate an incentive system to encourage the use of monument signs and adjust height limits for monument signs.
- ? Clarify that temporary signs are in addition to the normally allowable signage. Also, suggestions to limit "grand-opening" banners to a period within one year of the actual business opening. Also, language is suggested to clarify that banners or sign sleeves may be used as temporary signage in certain business circumstances.
- ? Increase the allowances for menu boards at drive-thru restaurants to 32 square feet per drive thru lane to allow the sign area to be arranged in one or more individual signs. A provision is also suggested to include corporate logo flags in the maximum signage calculations for a parcel and a provision to limit flag displays when used for attention-getting or advertising purposes.
- ? Combine the residential community and business/industrial park identification sign provisions into a single section.
- ? Establish physical conditions of a site as the basis for considering use permit authorization of increases in sign area or height and remove the criteria concerning the type of business.

Landscaping Requirements:

- ? Add "horticulturalist" to the list of professionals who may prepare landscape plans. Also, limit "owner prepared plans" to IL and IG properties that front on secondary roads under the theory that professional landscape design in all commercial areas, and in industrial areas fronting on primary roads, is important to ensure aesthetics, proper consideration of building visibility, and safety issues.
- ? Replace the current planting standards with a "landscape credit unit" system that requires a certain number of credits per 100 linear feet of lot dimension and that awards credits on a sliding scale related to the size of the new or existing landscaping.
- ? Delete the xeriscaping incentives in their entirety to shorten the ordinance and in recognition of the fact that the provisions have not been used once since their adoption.

- ? Base planting ratios on the "landscape credit system" with the credit values intended to provide essentially the same numbers of plants as currently required. Also, require that transitional buffers be located entirely on the residentially-zoned property when two undeveloped properties are abutting. A new provision is suggested to allow the required buffer width to be reduced by up to 25 percent when a properly designed and engineered berm is used to provide supplementary/equivalent screening/buffering.
- ? Clarify the opportunities to thinning, cleaning, and improving the appearance of greenbelt areas.
- ? Add minor wording changes for clarification, to remove redundant provisions, and to eliminate references to metric system measurements.

During the review, the Board discussed providing the maximum amount of drainage for the future concerning parking requirements, the pros and cons of monument signs versus pole signs, and ensuring a process for replacement of landscaping that has died.

Meeting Adjourned. At 7:24 p.m. Chairman Wiggins declared the meeting adjourned to 5:30 p.m., Tuesday, July 16, 2002, in the East Room, York Hall, for the purpose of conducting a work session.

James O. McReynolds, Clerk
York County Board of Supervisors

Donald E. Wiggins, Chairman
York County Board of Supervisors